

## **MINUTES**

### **MONTANA SENATE 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON TAXATION**

**Call to Order:** By **CHAIRMAN BOB DEPRATU**, on March 8, 2001 at 8:00 A.M., in Room 405 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Bob DePratu, Chairman (R)  
Sen. Alvin Ellis Jr., Vice Chairman (R)  
Sen. John C. Bohlinger (R)  
Sen. Mack Cole (R)  
Sen. Pete Ekegren (R)  
Sen. Jon Ellingson (D)  
Sen. Bill Glaser (R)

**Members Excused:** Sen. Dan Harrington (D)  
Sen. Emily Stonington (D)

**Members Absent:** None.

**Staff Present:** Lee Heiman, Legislative Branch  
Deb Thompson, Committee Secretary

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: Senate Bill 492, 3/6/2001  
Executive Action: House Bill 362 as amended 9-0;  
Senate Bill 492 pass 9-0;  
Senate Bill 39, Senate Bill  
67, Senate Bill 68, Senate  
Bill 69-Indefinitely Postpone  
all four bills 9-0

#### **HEARING ON SENATE BILL 492**

**Sponsor:** SENATOR MIKE SPRAGUE, SD 6, Billings

**Proponents:** Jeff Hagner, Director Fish, Wildlife and Parks; Bob Gilbert, Walleye's Unlimited of Montana; Kathy Deter Frazier, Yacht Basin Marina

**Opponents:** None

**Opening Statement by Sponsor:** Jeff Hagener, Director of Fish, Wildlife & Parks, presented written testimony. He described the boat decal fee and the concerns for increased boater ethics training, education and enforcement. **EXHIBIT(tas53a01)** He distributed the FWP Boating Safety Enforcement Program history and current locations as well as listing located where additional Water Safety Officers were needed. **EXHIBIT(tas53a02)**

**Proponents' Testimony:** Bob Gilbert, representing Walleye's Unlimited of Montana, supported the bill. He noted it was a fee increase. There are adequate laws to take care of the lakes but there is no enforcement.

**Kathy Deter Frazier**, representing Yacht Basin Marina, spoke in favor of the bill. She was active in the Coast Guard Auxiliary. The laws are there to protect people, save lives, protect personal property and the environment. However, without enforcement they are just words on paper. **{Tape : 1; Side : A; Approx. Time Counter : 10 - 11.8}**

**Opponents' Testimony:** None

**Questions from Committee Members and Responses:** **SENATOR COLE** asked if the Tongue River Reservoir had implemented any of the ideas worked on in from the 1999 hearings, regarding the reservoir and safety regulations. **Mr. Doug Monger**, Administrator of the Parks Division, replied the three hearings that were conducted in that area, as a result of that public process, FWP initiated a no-wake zone around the reservoir from 300 feet from the shoreline for all motor craft, including jet skis. Additionally, five of most active bays were closed. This was the first step in implementing the safety program. The second step was in enforcing that new regulation. Currently, FWP has just under two months of seasonal water safety ranger work at the Tongue Reservoir. The bill would allow this for a longer period of time. This bill would allow matching these state funds with federal Coast Guard monies on a one to one basis to create 12 new seasonal positions statewide. **{Tape : 1; Side : A; Approx. Time Counter : 11.8 - 15}**

**SENATOR ELLIS** asked if problems of overcrowding at the Cooney Dam would be addressed. **Mr. Monger** replied there were game wardens

and the park manager patrolling the area. The concerns are the mechanisms needed to educate on ethics training, for example what it means to jet ski across some ones fishing line. Currently there are signs on the boat ramps and department employees down discussing with people. Future plans include a small contact station where brochures are distributed and staffing at the boat ramps with one to one contact. **{Tape : 1; Side : A; Approx. Time Counter : 15 - 18.7}**

**SENATOR BOHLINGER** questioned whether a \$2.50 fee increase was enough money to implement the laws. He pointed out the money was also used for public safety issues, operate and maintain boat ramps, educational and informational signs, toilet facilities, boat docks, moorings - and all of this costs money. Would enough money be generated with this small increase? **SENATOR SPRAGUE** replied they could always use more, but this was adequate. The fees had not been increased since 1991. **{Tape : 1; Side : A; Approx. Time Counter : 18.7 - 21.9}**

**SENATOR GLASER** asked about the past budget regarding the Coast Guard. It appeared the money from the federal was around \$300 thousand a year. **Ms. Beata Galda**, Administrator of Law Enforcement Division, replied that was about right. She said there was money in conservation education as well as enforcement. It is almost a one to one match - 46% federal and 56% state. **SENATOR GLASER** noted that the department was carrying over about \$23 million dollars of money that had already been allocated or appropriated and was not yet spent. Other than a small amount carried over in 1999, everything else was being spent. **Ms. Galda** replied in this situation the spending level was determined by the level of revenue they got from registering boats, which has increased about 2% a year. **{Tape : 1; Side : A; Approx. Time Counter : 21.9 - 30}**

**Closing by Sponsor:** **SENATOR SPRAGUE** closed. He pointed out the value of the program and requested support for the increased fee.

#### **EXECUTIVE ACTION ON SENATE BILL 492**

**SENATOR COLE MOVED DO PASS.** The question was called. The motion **PASSED** unanimously.

#### **EXECUTIVE ACTION ON SENATE BILLS 39, 67, 68, 69**

**CHAIRMAN DEPRATU** informed the committee that these four bills were at the request of the Department of Revenue and they had

asked that the bills not be heard. The sponsors were in agreement.

**SENATOR GLASER MOVED TO POSTPONE INDEFINITELY ALL FOUR BILLS.**

The question was called. The motion **PASSED** unanimously.

**EXECUTIVE ACTION ON HOUSE BILL 362**

**SENATOR EKEGREN MOVED THE BILL. SENATOR EKEGREN MOVED THE AMENDMENT.** Mr. Heiman explained the amendment which would address the completion of the ethanol plant. **EXHIBIT(tas53a03)** The question was called on the amendment. The motion was **ADOPTED** unanimously. The question was called on the bill as amended. The motion **PASSED** unanimously. *{Tape : 1; Side : B; Approx. Time Counter : 9.1 - 13.9}*

**ADJOURNMENT**

Adjournment: 8:52 A.M.

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SEN. BOB DEPRATU, Chairman

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DEB THOMPSON, Secretary

BD/DT

**EXHIBIT (tas53aad)**